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Southern DISTRICT OF NEW YORK

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

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April 28, 2020

BY ECF and EMAIL

The Honorable Victor Marrero
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: United States v. Barry Connell, 17 Cr. 116 (VM)

Dear Judge Marrero:

The Government writes with respect to the restitution deadline in the above-referenced case. At the defendant's sentencing, the Court made clear that it would order restitution, and directed the Government to submit a proposed restitution order by April 30, 2020. (See Dkt. 66 at 7-8). The Government and defense counsel are attempting to work toward a consent restitution order but have been delayed due to the COVID-19 pandemic. The Government accordingly requests an extension of the restitution deadline until June 1, 2020. See *Dolan v. United States*, 560 U.S. 605, 608 (2010) (court "retains the power to order restitution" after the 90-day deadline set forth in 18 U.S.C. § 3664(d)(5)); *United States v. Gushlak*, 728 F.3d 184, 191 (2d Cir. 2013) (same); *United States v. Pickett*, 612 F.3d 147, 149 (2d Cir. 2010) (same). Defense counsel consents to this request.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: /s/ Won S. Shin
Won S. Shin
Assistant United States Attorney
(212) 637-2226

cc: Jesse M. Siegel, Esq.

The request for extension is granted.

SO ORDERED.

April 29, 2020

DATE

VICTOR MARRERO, U.S.D.J.